WPSS No. 1579 of 2007
WITH
Stay Application

Hon'ble Prafulla C.Pant, J.

Heard Sri B.S. Negi, learned counsel for the petitioner and Sri H.M. Raturi, learned Sanding counsel for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 18.10.2007, passed by Director General, Medical, Health and Family Welfare, Uttarakhand, Dehradun, whereby the petitioner has been transferred from H.N. Bahuguna Base Hospital, Srinagar Garhwal to community Health Center, Thalisain.

Petitioner is a Driver. It appears that Mr. K.K. Bangwal, a member of the Bar council of Uttarakhand, died in the month of September 2007, after he was taken to the aforesaid Base Hospital for treatment. Lawyers made allegations of negligence against the medical officers and staff of the hospital. On the other hand, it appears that the Doctors and medical staff made allegations against the lawyers that they misbehaved with the hospital staff. From the papers it further reveals that as a consequence of said incident, on administrative ground, the petitioner is transferred by the impugned order.

The petitioner in this writ petition has pleaded that he is not responsible for the episode and facing acute hardship due to the impugned transfer order. Under writ jurisdiction, this court cannot go into the factual dispute in the matter. However, it is just and proper to leave it to the authorities concerned to consider the grievances of the petitioner raised before this Court.

Therefore, this writ petition is summarily disposed of with the direction that respondent no. 1 may decide the representation dated 25.10.2007, made by the petitioner, copy of which is annexed as Annexure 3 to the writ petition, within a period of one month from the date certified copy of this order is produced before such authority.

(Stay Application also stands disposed of, accordingly).

(**P.C.P., J.)**

Dt.29.10.2007
NS